

Notice of Allowability

Application No.

10/621,023

Examiner

Mariceli Santiago

Applicant(s)

HIBINO ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed August 4, 2005.
2. ☒ The allowed claim(s) is/are 1-14, 18, 19, 27, 28, 32 and 34-41.
3. ☒ The drawings filed on 04 August 2005 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 4, 2005 has been entered.

Response to Amendment

The Amendment, filed on August 4, 2005, has been entered and acknowledged by the Examiner. The drawings, filed on August 4, 2005, are approved by the Examiner.

Cancellation of claims 15-17, 20-26, 29-31 and 33 has been entered.

Claims 1-14, 18, 19, 27, 28, 32 and 34-41 are pending in the instant application.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the specification,

At page 1, the sentence that was inserted on a separate line immediately after line 5 by the Amendment filed on July 16, 2003, has been amended as follows:

After the recitation "filed on June 15, 2001" insert -- now U.S. Patent no. 6,692,325--.

Allowable Subject Matter

Claims 1-14, 18, 19, 27, 28, 32 and 34-41 are allowed over the prior art.

The following is an examiner's statement of reasons for allowance:

Regarding claim 1, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim 1, and specifically comprising the limitation of a plurality of phosphor layers formed by baking a phosphor film and provided on the first substrate facing the discharge cells, each phosphor layer corresponding to an illumination color of the discharge cell, and the gas discharge panel displaying a color image by selectively illuminating the discharge cells, wherein a plurality of gap members having a given spherical shape are disposed at locations corresponding to boundary areas between and excluding the center areas of the discharge cells, so as to separate the first substrate and second substrate, and determine the interval between the first substrate and second substrate.

Regarding claims 2-14, 18 and 35-41, claims 2-14, 18 and 35-41 are allowable for the reasons given in claim 1 because of their dependency status from claim 1.

Regarding claim 19, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim 19, and specifically comprising the limitation of a phosphor layer forming process, for providing a phosphor layer corresponding to an illumination color of each discharge cell on the first substrate, a gap member distribution process, for disposing gap members having a given spherical shape at locations on the first substrate or the second substrate corresponding to boundaries between discharge cells.

Regarding claims 27, 28 and 34, claims 27, 28 and 34 are allowable for the reasons given in claim 19 because of their dependency status from claim 19.

Regarding claim 32, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim 32, and specifically comprising the limitation of a dielectric element material application process, for applying a dielectric element material to

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cover the electrodes, the dielectric element material containing gap members situated in contact with the first substrate and the second substrates thereby determining an interval between the first substrate and the second substrate.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mariceli Santiago whose telephone number is (571) 272-2464. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel, can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

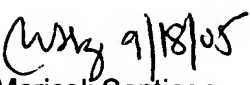

Mariceli Santiago
Primary Examiner
Art Unit 2879



FIG.16A

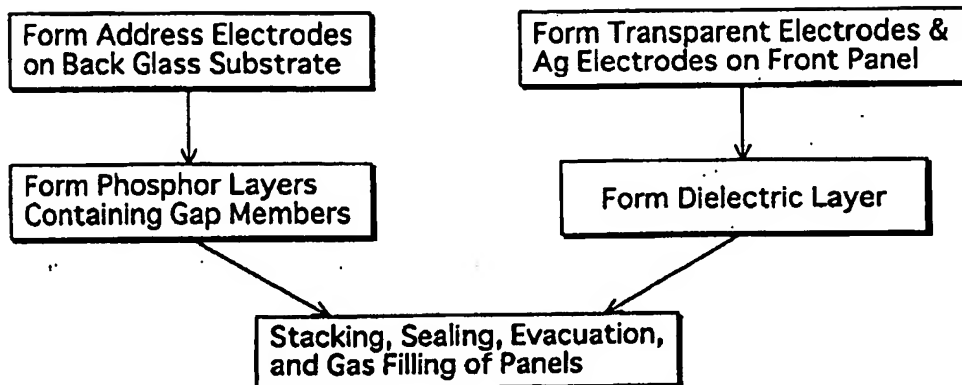
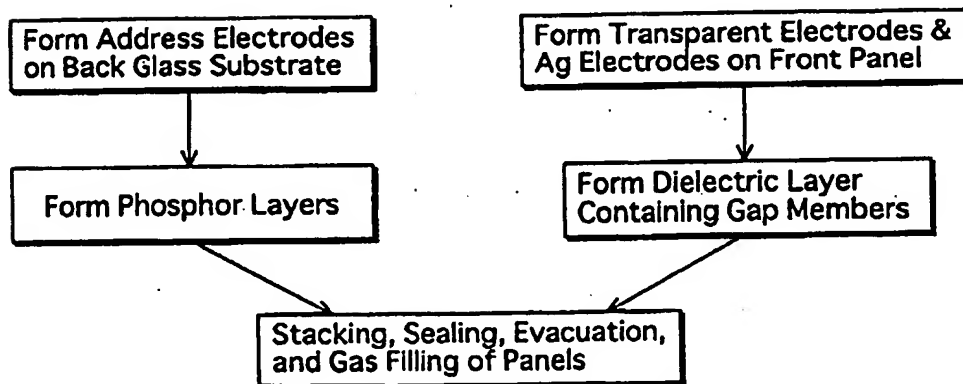


FIG.16B



Approved
for
Entry
usage 9/18/05